

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS- Land Acquisition – Adilabad District – Tiryani (Mandal) – Devaiguda and Bordhan (Villages) – O.P.No.2/97 - Sanction of the half of the decretal charges of **Rs.79,16,829/--** Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 911

DATE:25.11.2009

Read:

From the CCLA, A.P, Hyderabad, Lr.No.G3/1442/2008, dated:06.08.09
along with the proposal of the District Collector, Adilabad.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the District Collector, Adilabad has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.2/97 pertaining to Devaiguda and Bordhan (Villages) Tiryani (M) of Adilabad District. The then Special Collector has reported that on requisition filed by the Executive Engineer, VVP Asifabad, an extent of 185.35 acres of land situated at Devaiguda and Bordhan villages of Tiryani (M) for submergence in Vattivagu Project vide Award No.B/965/84, dt:20.09.1986 duly fixing the land value @Rs.3,000/-, 2,500/- and 2,000/- per acre. Aggrieved by the award passed by the LAO/Sub-Collector, Asifabad, the awardees have filed petitions U/s.18 of L.A.Act with a request to refer the case to the Civil Court for adjudication. On reference, the Sr.Civil Judge Court, Asifabad in its judgment dt:24.03.2006 has enhanced the land value to Rs.16,000/- per acre along with statutory benefits. The enhancement is above 100%, the appeals were filed against the orders of Sr.Civil Judge, Asifabad in Hon'ble High Court of A.P, Hyd and number as A.S.No.236/2008. Meanwhile, the claimants have filed E.P.No.37/2008 for realization of decretal amount. The Revenue Divisional Officer, Utnoor has filed Stay petition against E.P with Hon'ble High Court of A.P, Hyd. The Hon'ble High Court of A.P, Hyd has granted conditional stay orders to deposit 50% of the decretal amount within (6) weeks from the date of order.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.79,16,829/- (Rupees Seventy nine lakhs sixteen thousand eight hundred and twenty nine only)** in respect of O.P.No.2/97 pertaining to Devaiguda and Bordhan (Villages) of Adilabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Govt and Chief Commissioner for Land Administration, Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The District Collector, Adilabad has directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No.2/97 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) ante shall be debitable to Head of Account under "4701 – 03 – Medium Irrigation – M.H.800 – Other expenditure – S.H (04) Project Establishment under Chief Engineer – Medium Irrigation – S.H (26) - Dams and Appurtenant works – 530 – Major works – 532 – lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.28131/1034/Exp.PW.1/09, dt:10.11.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The District Collector, Adilabad District.

The Chief Engineer, Minor Irrigation, Hyderabad.

The Revenue Divisional Officer, Utnoor, Adilabad.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.20984/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER